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EXAMINER

LIN, KENNY S

ART UNIT PAPER NUMBER

2154

DATE MAILED: 05/05/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No. 09/873,183	Applicant(s) SIMPSON ET AL.	
	Examiner Kenny Lin	Art Unit 2154	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 14 February 2005.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-8, 13-20 and 23 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-8, 13-20 and 23 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

1. Claims 1-8, 13-20 and 23 are presented for examination. Claims 9-12 and 21-22 are canceled.

Claim Rejections - 35 USC § 112

2. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

3. Claims 1-8 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

- a. The following terms lack proper antecedence basis:

- i. Claim 1, line 13 and line 20 – a job ticket reference (job ticket reference was already introduced in previous lines; If this is a different job ticket reference, please amend to particularly point out the difference);
- ii. Claim 6, lines 2 - a job ticket reference (job ticket reference was already introduced in claim 1; If this is a different job ticket reference, please amend to particularly point out the difference);
- iii. Claim 7, line 2 – an original job ticket (original job ticket was already introduced in claim 1; If this is a different original job ticket, please amend to particularly point out the difference);
- iv. Claim 8, line 1 – a work flow controller (a work flow controller was introduced in claim 1. This is clearly another work flow controller);

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- v. Claim 13, line 6 – a job ticket (a job ticket was already introduced in previous lines; If this is a different job ticket reference, please amend to particularly point out the difference);
- vi. Claim 13, lines 9 – a job ticket reference (job ticket reference was already introduced in previous lines; If this is a different job ticket reference, please amend to particularly point out the difference);
- vii. Claim 23, line 8 - the job ticket service (job ticket service was never introduced).

Claim Rejections - 35 USC § 103

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

5. Claims 1-3, 13-14 and 23 are rejected under 35 U.S.C. 103(a) as being unpatentable over Lynch et al (hereinafter Lynch), US 6,581,097, in view of Armstrong, US 2002/0078083.

6. Lynch was cited in the previous office action.

7. As per claim 1, Lynch taught the invention substantially as claimed including an apparatus that controls tasks in a multi-tasking computer network, comprising:

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- a. A job ticket service, being configured to:
 - i. Function as a centralized service for controlling access to original job tickets where a job ticket is configured to define a job including one or more tasks to be performed and includes a job ticket reference (col.2, lines 56-67, col.3, lines 1-18, 39-44, col.4, lines 38-46, 53-58, col.6, lines 15-19, col.7, lines 18-19);
 - ii. Receiving status updates from task processors that are responsible for performing a task from an original job ticket where the task is associated to a job ticket reference (col.4, lines 64-67, col.5, line 1, lines 22-29, col.7, lines 47-53); and
 - iii. Update the original job ticket associated with the job ticket reference based on the status update, such that the job ticket service controls modification of the original job ticket (col.4, lines 64-67, col.5, lines 1-6, 22-29, col.7, lines 47-60); and

8. Lynch did not specifically teach a work flow controller configured to separately assign the one or more tasks from a single original job ticket to selected task processors by distributing a ticket copy of the single original job ticket and distributing a job ticket reference to each task processor that identifies the single original job ticket and the job ticket service, where the selected task processors can include an external service provider. Armstrong taught a work flow controller configured to separately assign the one or more tasks from a single original job ticket to selected task processors by distributing a ticket copy of the single original job ticket and

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distributing a job ticket reference to each task processor that identifies the single original job ticket and the job ticket service, where the selected task processors can include an external service provider (pp. 0006, 0014, 0016-0021, 0025-0027). It would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the teachings of Lynch and Armstrong because Armstrong's teaching of a work flow controller to distribute job ticket reference to task processor enables Lynch's apparatus to distribute the jobs to various task processors for processing including available processors.

9. As per claims 13 and 23, Lynch taught the invention substantially as claimed including a method for controlling tasks in a multi-tasking network, comprising:

- a. Receiving a job ticket at a job ticket service (col.2, lines 56-67, col.3, lines 1-18, 39-44, col.4, lines 38-46, 53-58);
- b. Creating a reference to the job ticket service (col.2, lines 56-67, col.3, lines 1-18, 39-44, col.4, lines 38-46, 53-58);
- c. Storing the job ticket reference (col.4, lines 38-44);
- d. Controlling access to original job tickets by the job ticket service where a job ticket is configured to define a job including one or more tasks to be performed (col.2, lines 56-67, col.3, lines 1-18, 39-44, col.4, lines 38-46, 53-58, col.6, lines 15-19, col.7, lines 18-19);
- e. Receiving status updates from the selected processors relating to an assigned task that are identified by the job ticket reference (col.4, lines 64-67, col.5, line 1, lines 22-29, col.7, lines 47-53); and

- f. Updating the original job ticket associated with the job ticket reference based on the status update, such that the job ticket service controls modification of the original job ticket (col.4, lines 64-67, col.5, lines 1-6, 22-29, col.7, lines 47-60).
10. Lynch did not specifically teach to assign the one or more tasks from a single original job ticket to selected task processors by distributing a ticket copy of the single original job ticket and distributing a job ticket reference to each task processor that identifies the single original job ticket and the job ticket service, where the selected task processors can include an external service provider. Armstrong taught to assign the one or more tasks from a single original job ticket to selected task processors by distributing a ticket copy of the single original job ticket and distributing a job ticket reference to each task processor that identifies the single original job ticket and the job ticket service, where the selected task processors can include an external service provider (pp. 0006, 0014, 0016-0021, 0025-0027). It would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the teachings of Lynch and Armstrong because Armstrong's teaching of distributing job ticket reference to task processor enables Lynch's method to distribute the jobs to various task processors for processing including available processors.
11. As per claim 2, Lynch and Armstrong taught the invention substantially as claimed in claim 1. Lynch further taught the apparatus to comprise: a job ticket storage for maintaining the original job tickets (col.4, lines 38-44).

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12. As per claim 3, Lynch and Armstrong taught the invention substantially as claimed in claim 2. Lynch further taught that the job ticket service is configured to allow the selected task processors to access the original job tickets using the job ticket reference (col.2, lines 56-67, col.3, lines 1-18, 39-44, col.4, lines 38-46, 53-58, col.6, lines 15-19, col.7, lines 18-19).

13. As per claim 14, Lynch and Armstrong taught the invention substantially as claimed in claim 13. Lynch further taught to comprise: providing the job ticket reference to a processor in the network (col.2, lines 56-67, col.3, lines 1-18, 39-44, col.4, lines 38-46, 53-58, col.6, lines 15-19, col.7, lines 18-19); and providing the processor with access to the job ticket based on the job ticket reference (col.2, lines 56-67, col.3, lines 1-18, 39-44, col.4, lines 38-46, 53-58, col.6, lines 15-19, col.7, lines 18-19).

14. Claims 4, 6-7 and 15-16 are rejected under 35 U.S.C. 103(a) as being unpatentable over Lynch and Armstrong as applied to claims 1-3 and 13-14 above, and further in view of Kovnat et al (Hereinafter Kovnat), US 5,619,649.

15. Kovnat was cited in the previous office action.

16. As per claim 4, Lynch and Armstrong taught the invention substantially as claimed in claim 1. Lynch and Armstrong did not specifically teach that the job ticket service is configured to limit access to the original job ticket by a selected task processor to a portion of the original job ticket and prohibits access to other portions of the original job ticket. Kovnat taught that the

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job ticket service limits access to the job ticket to a portion of the job ticket (col.16, lines 47-55). It would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the teachings of Lynch, Armstrong and Kovnat because Kovnat's teaching of limiting access to portion of the original job ticket enforce Lynch and Armstrong's apparatus to provide a secure and managed processing method for processing the tasks.

17. As per claim 6, Lynch and Armstrong taught the invention substantially as claimed in claim 1. Kovnat taught that a job ticket reference is configured to be passed between multiple task processors to allow access to at least a portion of a corresponding original job ticket (fig.1, 18, 20, fig.15, 400, 402, 404; col.16, lines 45-55, 65-66; from 404 to 400). It would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the teaching of Lynch, Armstrong and Kovnat because Kovnat's teaching of passing job ticket reference between multiple task processors enables Lynch and Armstrong's apparatus to allow multiple task processors to process the tasks of the original job ticket.

18. As per claim 7, Lynch and Armstrong taught the invention substantially as claimed in claim 1. Kovnat taught to comprise a job store that stores job content (fig.15, 417; col.15, lines 44-49), and wherein an original job ticket comprises: a service identification that correlates the original job ticket to the job ticket service (col.9, lines 22-26); a job identification that correlates the original job ticket to the job content (col.16, lines 9-15, 31-54); and a control module that includes parameters that define processes required to complete a task (col.16, lines 55-67, col.17, lines 1-4, 12-13). It would have been obvious to one of ordinary skill in the art at the time the

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invention was made to combine the teaching of Lynch, Armstrong and Kovnat because Kovnat's teaching of using service identification enables Lynch and Armstrong's apparatus to pinpoint a particular service of a particular job.

19. As per claim 15, Lynch and Armstrong taught the invention substantially as claimed in claim 14. Kovnat taught that access to the job ticket is limited to a portion of the job ticket (col.16, lines 47-55). It would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the teachings of Lynch, Armstrong and Kovnat because Kovnat's teaching of limiting access to portion of the original job ticket enforce Lynch and Armstrong's method to provide a secure and managed processing method for processing the tasks.

20. As per claim 16, Lynch and Armstrong taught the invention substantially as claimed in claim 13. Kovnat taught to comprise: receiving a job content corresponding to the job ticket (col.5, lines 14-16, col.17, lines 5-10); storing the job content in the network (col.10, lines 17-18, col.17, lines 5-10); and providing the processor access to the job content (col.16, lines 63-66, col.17, lines 3-17). It would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the teaching of Lynch, Armstrong and Kovnat because Kovnat's teaching of using service identification enables Lynch and Armstrong's method to pinpoint a particular service of a particular job.

21. Claim 5 is rejected under 35 U.S.C. 103(a) as being unpatentable over Lynch and Armstrong as applied to claims 1-3 and 13-14 above, and further in view of Thornton et al (hereinafter Thornton), US 2002/0078130.

22. As per claim 5, Lynch and Armstrong taught the invention substantially as claimed in claim 1. Lynch and Armstrong did not specifically taught that the job ticket service assigns the one or more tasks from the single original job ticket based on bids received from one or more task processors. Thornton taught to assign tasks based on bids received from the task processors (pp. 0062, 0064). It would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the teachings of Lynch, Armstrong and Thornton because Thornton's teaching of bidding for the tasks enables Lynch and Armstrong's apparatus to selected a better and lower cost service.

23. Claim 8 is rejected under 35 U.S.C. 103(a) as being unpatentable over Lynch and Armstrong as applied to claims 1-3 and 13-14 above, and further in view of Morales, Jr. et al (Morales), US 6,687,834.

24. Morales was cited in the previous office action.

25. As per claim 8, Lynch and Armstrong taught the invention substantially as claimed in claim 1. Lynch and Armstrong did not specifically teach to comprise a work flow controller that coordinates completion of the original job tickets among one or more of the task processors that

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can communicate with the work flow controller over a network communication. Morales taught to include a work flow manager in managing the processes wherein when a process is completed, a report is being send to present the process result (col.3, lines 13-16). It would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the teachings of Lynch, Armstrong and Morales because Morales' teaching of having a work flow manager generating a report to inform the result of the process enables the users of Lynch and Armstrong's apparatus to know when the process of the job is completed.

26. Claims 17 and 20 are rejected under 35 U.S.C. 103(a) as being unpatentable over Lynch and Armstrong as applied to claims 1-3 and 13-14 above, and further in view of Ferlitsch et al (Ferlitsch), US 2002/0113989.

27. Ferlitsch was cited in the previous office action.

28. As per claim 17, Lynch and Armstrong taught the invention substantially as claimed in claim 13. Lynch and Armstrong did not specifically teach the further comprised limitations claimed in claim 17. Ferlitsch taught a method for controlling task to assign job tasks assigned according to processor capacity, availability, speed or other attributes (pp. 0039, 0057) and select one or more of the plurality of processors to process the job ticket (pp. 0039, 0057). It is obvious that the capability and availability information of each of the plurality of processors must first be obtained (e.g., received) in order to determine the assignment of processors in processing the jobs. It would have been obvious to one of ordinary skill in the art at the time the invention was

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made to combine the teachings of Lynch and Armstrong and Ferlitsch because Ferlitsch's teaching of assigning tasks according to the processor's ability enables Lynch and Armstrong's method to speed up task processing by distributing the tasks to suitable processors (pp. 0038-0039).

29. As per claim 20, Lynch, Armstrong and Ferlitsch taught the invention substantially as claimed in claim 17. Armstrong further taught that the selecting step is completed by an entity submitting the job ticket into the network (pp. 0005-0006, 0019).

30. Claims 18-19 are rejected under 35 U.S.C. 103(a) as being unpatentable over Lynch, Armstrong and Ferlitsch as applied to claim 17 above, and further in view of Morales, Jr. et al (Morales), US 6,687,834.

31. As per claim 18, Lynch, Armstrong and Ferlitsch taught the invention substantially as claimed in claim 17. Lynch, Armstrong and Ferlitsch did not specifically teach to comprise, when each processor of the selected one or more processors completes a process, receiving an update to information in the job ticket. Morales taught to include a work flow manager in managing the processes wherein when a process is completed, a report is being send to present the process result (col.3, lines 13-16). It would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the teachings of Lynch, Armstrong, Ferlitsch and Morales because Morales' teaching of using a report to inform the result of the process

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enables the users of Lynch, Armstrong and Ferlitsch's method to know when the process of the job is completed.

32. As per claim 19, Lynch, Armstrong and Ferlitsch taught the invention substantially as claimed in claim 17. Lynch, Armstrong and Ferlitsch did not specifically teach that the selecting step is completed by a work flow controller in the network. Morales taught a work flower manager to manage the processes and select processor for processing (col.3, lines 13-15). It would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the teachings of Lynch, Armstrong, Ferlitsch and Morales because Morales' teaching of using a work flow manager in managing the selection of processors enables Lynch, Armstrong and Ferlitsch's method to select processors for processing when the processors are available.

Response to Arguments

33. Applicant's arguments with respect to claims 1-8, 13-20 and 23 have been considered but are moot in view of the new ground(s) of rejection.

Conclusion

34. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Dal-Santo et al, US 6,782,535.

Lynch et al, US 6,657,744.

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35. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a).

Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the date of this final action.

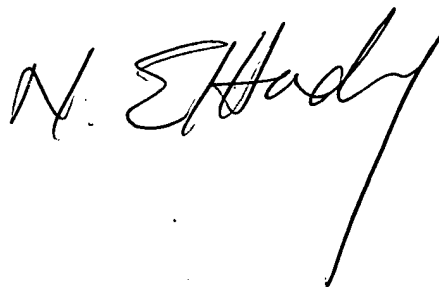
36. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Kenny Lin whose telephone number is (571) 272-3968. The examiner can normally be reached on 8 AM to 5 PM Tue.-Fri. and every other Monday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John Follansbee can be reached on (571) 272-3964. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

ksl
May 2, 2005

A handwritten signature in black ink, appearing to read "N. E. Hardy". The signature is written in a cursive style with a long, sweeping vertical stroke at the end.